

Exhibit C

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

SFA SYSTEMS, LLC f/k/a	§	
TRITON IP, LLC	§	
	§	CIVIL ACTION NO. 6:07-cv-067[LED]
v.	§	
	§	JURY
INFOR GLOBAL SOLUTIONS	§	
(MICHIGAN), INC., et al.	§	

**INFOR GLOBAL SOLUTIONS (CHICAGO), INC.’S AND
INFOR GLOBAL SOLUTIONS (MICHIGAN), INC.’S
SECOND AMENDED INVALIDITY CONTENTIONS**

Pursuant to Patent Rule 3-3, defendants Infor Global Solutions (Chicago), Inc. and Infor Global Solutions (Michigan), Inc. (collectively “Infor”) submit their Amended Invalidity Contentions. In the absence of a claim construction order from the Court, Infor submits its Amended Invalidity Contentions based in whole or in part upon its present understanding of the positions of SFA Systems, LLC f/k/a Triton IP, LLC (“SFA”) such as it is. Infor has objected to SFA’s initial claim construction and asserted claim contentions as non-responsive and flawed to the point of prejudice. Infor cannot form an understanding of SFA’s asserted claims and corresponding construction that will allow it to form an understanding of SFA’s patent claim scope in a meaningful way. Accordingly, the scope and construction of the asserted claims are not apparent and cannot be deduced from SFA’s disclosures pursuant to Patent Rule 3-1 and the information available to Defendants at this time. As a consequence, these Amended Invalidity Contentions cannot be taken to mean that Infor in any way agrees with SFA’s apparent claim constructions. In addition, Infor’s investigation regarding prior art grounds of invalidity is on-going. Further, the specification for U.S. Patent No. 6,067,525 (“the ‘525 patent”) is vague and contains ambiguities with regard to essential material terms such as infer, inferring, inferred

context, inferred occurrence, and the like, and the specification does not enable one of ordinary skill in the art to practice the claimed inventions without undue experimentation. For most of the critical terms the specification provides no enablement or written description and Infor reserves the right to supplement or modify its invalidity contentions as additional prior art is discovered and when SFA provides a meaningful disclosure of its claim construction.

I. INDEFINITENESS, NON-ENABLEMENT, OR LACK OF WRITTEN DESCRIPTION UNDER 35 U.S.C. § 112(1) OR (2)

Pursuant to Patent Rule 3-3(d), Infor contends that the asserted claims of the ‘525 patent are invalid under 35 U.S.C. § 112, ¶ 1 because the specification does not enable and/or does not have adequate written description of many of the claim limitations. The patent specification would not have enabled one of ordinary skill in the art to practice the claimed inventions of the ‘525 patent without undue experimentation.

The written description requirement of 35 U.S.C. § 112 was not met by elements/steps recited in the below-described claims because the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

The enablement requirement of 35 U.S.C. § 112 was not met because the claims contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The disclosure provides no teachings related to the claimed features discussed below. A person of ordinary skill in the art would be unable to make and/or use the claimed apparatus because there is no explanation of its design, structure, or functionality beyond the claim language. The claim language itself defines the invention and does not provide enabling support for the functionality of the features.

Claims 13-19 and 24-39 were added after the filing of the original application, and of these at least the following claims include terms that fail to satisfy the written description or enablement requirements of 35 U.S.C. § 112.

A. No Written Description or Enablement of the Term “Inferred Event Distributed Among at Least Two of the Plurality of Subsystems”

Claims 14 & 26: The specification provides no description of an inferred event distributed among at least two of the plurality of subsystems; nor does the specification provide a description how the inferred event would be distributed among at least two of the plurality of subsystems.

Claims 15 & 27: Fail the written description and enablement requirements due to their dependency on claims 14 & 26, respectively.

Claims 16 & 28: Fail the written description and enablement requirements due to their dependency on claims 15 & 27, respectively.

B. No Written Description or Enablement of the Term “Inferred Context”

Claims 16& 28: The specification provides no description of an inferred context including an identification of the subsystems among which the inferred event is distributed; nor does the specification provide a description of how or where the inferred context would be identified.

Claims 19 & 31: The specification provides no description of an inferred context including an identification of the subsystems among which the inferred event is contained; nor does the specification provide a description of how or where the inferred context would be identified.

C. No Written Description or Enablement of the Method Step “Inferring Occurrence of an Event While _____”

Claims 33 through 39: The specification provides no description of a scenario where an occurrence of an event is inferred “while” converting a name to a potential customer; “while” converting a lead to a buying customer; “while” converting a lead to a buying customer and prompting the buying customer to make a buying decision; etc., as recited in the respective claim. The specification fails to provide a significance of inferring the occurrence of an event “while” doing something else, such as converting a name to a potential customer (as in claim 33), including describing whether the converting a name to a potential customer is recorded as being associated with the event that occurred, whether the converting a name to a potential customer might be the event that occurred, or whether the converting a name to a potential customer might be the context in which the event occurred. Accordingly, the specification does not support claims 33-39.

D. No Written Description or Enablement for Terms In Independent Claims 1, 20, and 40

Independent claims 1, 20, and 40 were amended during prosecution adding new matter that is neither described nor enabled. Accordingly, the following claim terms added by amendment fail the written description and/or enablement requirement of 35 U.S.C. § 112¶ 1.

E. No Written Description or Enablement of the Terms “Inferring Occurrence of the Event and a Context in Which the Event Occurred” or “Infer Occurrence of the Event and a Context in Which the Event Occurred”

Claims 1 & 20: the element: “determining a context in which the event occurred” was deleted in view of prior art and new matter, “inferring occurrence of the event and a context in which the event occurred” neither disclosed, described, nor enabled was added.

Claim 40: the element: “detect the occurrence of a first event in the sales process” was deleted in view of prior art and new matter, “infer occurrence of the event and a context in which the event occurred...” neither disclosed, described, nor enabled was added.

The term infer/infering does not exist in the specification. The original disclosure is completely lacking of any description of an embodiment where the occurrence of an event and a context in which the event occurred is inferred. All limitations must appear in the specification. The failure to expressly describe the inferring of an occurrence of the event and a context in which the event occurred results in a specification that fails to convey to one of ordinary skill that the inventors were in possession of the invention. Further, the specification fails to enable one skilled in the art how to make and/or use the invention. The disclosure provides no teachings related to the inferring of an occurrence of the event and a context in which the event occurred. A person of ordinary skill would be unable to make and/or use the claimed apparatus because there is no explanation of its design, structure, or functionality beyond the claim language.

F. No Written Description or Enablement for the Term “Changes in State Characteristic”

Claim 1: the element: “recognizing an event” was deleted in view of prior art and new matter, “detecting one or more changes in state characteristic of an event occurring within the system,” neither disclosed, described, nor enabled was added.

Claim 20: the element: “automatically detecting the occurrence of the first event” was deleted in view of prior art and new matter, “automatically detecting one or more changes in state characteristic of an event occurring in the sales process” neither disclosed, described, nor enabled was added.

Claim 40: a new element, “detect one or more changes in state characteristic of an event occurring in the system” neither disclosed, described, nor enabled was added.

The phrase “changes in state characteristic” does not exist in the specification. The original disclosure is completely lacking of any description of what is a change in state

characteristic. All limitations must appear in the specification. The failure to expressly describe a change in state characteristic results in a specification that fails to convey to one of ordinary skill that the inventors were in possession of the invention. Further, the specification fails to enable one skilled in the art how to make and/or use the invention. The disclosure provides no teachings related to what constitutes a change of state characteristic, when or at what threshold would a change of state characteristic of an event be satisfied, and therefore recorded or detected, and whether a change of state characteristic means that an event has occurred and is complete. Further, would inferring the occurrence of the event mean that the event has occurred and is complete, or merely that a change of state characteristic of the event has been detected. Accordingly, from the original specification a person of ordinary skill would be unable to make and/or use the claimed method and/or system because there is no explanation of its design, structure, or functionality beyond the claim language.

II. PRIOR ART REFERENCES

Pursuant to Patent Rule 3-3(a) and (b), Infor identifies each of the following items of prior art that anticipates the claims of the '525 patent under 35 U.S.C. § 102:

1. Vernon, P., "Mott's Business-Management Expert Planning System," First International Conference on Expert Planning Systems, 1991. June 27-29, 1990.
2. U.S. Pat. No. 4,853,852, issued August 1, 1989;
3. U.S. Pat. No. 5,450,314, issued September 12, 1995;
4. U.S. Pat. No. 4,567,359, issued June 28, 1986;
5. U.S. Pat. No. 5,216,592, issued June 1, 1993;
6. U.S. Pat. No. 5,283,856, issued February 1, 1994;
7. GoldMine Software v. 2.5a, first publicly used, sold, and offered for sale at least as early as October 1994 by GoldMine Software Corporation;
8. GoldMine Software v. 2.5a Reference Manual, 1994 release;

9. GoldMine Factsback v. 2.5a Bulletin #371, Nov. 1993.
10. Casanova, et al., "Expert System for Automatic Authorization of Deficits." IEEE, 1989.
11. Unnamed software developed by Jerome Johnson and/or Clear With Computers beginning in 1983 and all changes, revisions, versions, iterations, or embodiments thereof from 1983 through and including October 30, 1994 as sold to Clear With Computers' clients such as, for example, International Harvester, General Motors, Freightliner, PACCAR, and/or IBM("the Johnson Software").
12. U.S. Pat. No. 5,774,868, filed on Dec. 23, 1994, and issued Jun 30, 1998.
13. .U.S. Pat. No. 5,201,010, issued Apr. 6, 1993.

To the extent SFA contends that the references cited above do not anticipate every limitation of the claims of the '525 patent, Infor asserts that any limitations not disclosed would have been obvious to one of skill in the art. Further Infor reserves the right to rely upon supplemental sources and/or combinations of the references cited above.

In addition, Infor identifies The Johnson Software as prior art under 35 U.S.C. § 102(b). The Johnson Software was publicly known, publicly used, offered for sale, and/or sold more than one year prior to the filing date of the '525 patent. For example, the Johnson Software was sold to International Harvester in or around 1983. In addition, the Johnson Software was to General Motors, Freightliner, PACCAR, and/or IBM between 1983 and October 30, 1994. Infor reserves the right to supplement this identification of prior art as its investigation continues.

III. PRIOR ART CHARTS

Pursuant to Patent Rule 3-3(c), Infor attaches claim charts showing how one or more of the references listed above teaches elements of claims of the '525 patent. Infor's claim charts are subject to revision and amendment pursuant to Federal Rule of Civil Procedure Rule 26(e) and following discovery or the Court's construction of the claims at issue. To the extent that the following contentions reflect constructions of claim limitations consistent with or implicit in Plaintiff's infringement contentions, no inference is intended nor should any be drawn that Infor

agrees with Plaintiff's claim constructions, and Infor expressly reserves its right to contest such claim constructions. Infor offers such contentions solely in the alternative to any position it may ultimately take as to claim construction and non-infringement issues.

The attached claim charts show where each element of each asserted independent claim is found in each of the prior art references. Infor states that the additional limitations contained in each of the dependent claims do not add anything novel or non-obvious to the independent claim from which they depend. More specifically, the dependent claims fail to add any novel element and merely describe obvious and known substitutions of the claimed element of the independent claim from which they depend. Accordingly, it would have been obvious to one of skill in the art to use any or all of these obvious substitutions as the embodiment of the general limitation in a particular system.

IV. INEQUITABLE CONDUCT

Pursuant to Patent Rule 3-3(a) and (b), Infor discloses that the '525 patent is unenforceable due to inequitable conduct during the prosecution of the '525 patent. Specifically, the inventors, attorneys, and others involved in the prosecution of the '525 patent failed to disclose material information to the Patent Office during the prosecution of the '525 patent.

One of the named inventors of the '525 patent, Jerome Johnson, first made, used, sold, and offered for sale a software program, at least as early as 1983, that embodies the invention disclosed and claimed in the '525 patent. Mr. Johnson's software is prior art to the '525 patent, was material to the prosecution of the '525 patent, and was not disclosed to the USPTO by anyone involved in the prosecution of the '525 patent during the prosecution of the '525 patent. Mr. Johnson's software is not cumulative of any other information disclosed to the USPTO during the prosecution of the '525 patent. On information and belief, the failure to disclose Mr. Johnson's software to the USPTO during the prosecution of the '525 patent was done with the

intent to deceive the Patent Office. The intentional failure to disclose Mr. Johnson's software to the USPTO during the prosecution of the '525 patent constitutes inequitable conduct, which renders the '525 patent unenforceable.

V. DOCUMENT PRODUCTION

Pursuant to P. R. 3-4(a), Infor is making available for inspection and copying source code to show the operation of any aspects or elements of each accused instrumentality identified by SFA in its P. R. 3-1(c) chart.

Pursuant to P. R. 3-4(b), Infor is producing or making available for inspection and copying each item identified pursuant to P.R. 3-3(a) that does not appear in the file history of the patents at issue.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Amended Invalidity Contentions was served on counsel for defendant on this 7th day of January, 2009 by electronic mail to:

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U.S. Pat. No. 6,067,525 Claim 1	Mott's Business-Management Expert Planning System	U.S. Pat. No. 4,853,852
1. A computer implemented sales system used to facilitate a sales process, the system comprising:	The preamble is not a limitation. Nonetheless, <u>see</u> §2.4 is a Sales-Programme Subsystem within an EPS and business management planning system (See Abstract). See ¶37: A tool to predict which prospects will materialize and how soon	The preamble is not a limitation. Nonetheless, <u>see</u> Abstract, FIG. 1 and col. 3, lines 4-11: A marketing tool having a portable lap computer for recording a sales call, and a master computer to automatically prepare planners
a plurality of subsystems configured to facilitate one or more actions performed during at least one phase of the sales process; and	Abstract & ¶3: four subsystems are resource scheduling, market-intelligence, technical expertise and sale programme. See ¶6: expert system includes knowledge database, an inference engine and information database. See ¶11 & FIG. 5: The Information database includes the four subsystems as well.	FIG. 1 and col. 3, lines 19-31: lap computer of each salesperson, each employer computer, the master computer system and all related databases are the subsystems.
an event manager, coupled to the subsystems, the event manager detecting one or more changes in state characteristic of an event occurring within the system,	§ 4: Inference Engine is the event manager, coupled to knowledge and information databases with four subsystems.	FIG. 1 & col. 3, lines 19-24 – the master computer facility is the event manager, which detects the day's customer call information from each salesperson of each employer (each visit is an event).
inferring occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and	¶39 & FIG. 10: Table of Prospect Attributes - ¶25: Market Intelligence. ¶27: In obtaining and analyzing market intelligence, trends about changing markets are identified, providing pointers to changes in technical-expertise subsystem. ¶40 & FIG. 11: Model's product range is event occurrence, context is prospect table of attributes.	Col. 4, lines 39-62: the master computer infers event occurrence (customer visit) and a context of the event (the employer of each salesperson).
automatically initiating an operation in one or more particular subsystems of the computer to facilitate a new action based on the inferred context.	¶40 & FIG. 11: A more comprehensive product package is developed from event occurrence and attribute information. ¶44: Inference engine uses and applies knowledge rules to incoming or existing information to create expert advice for the user.	Col. 4, lines 39-62: the master computer generates a thank you letter to the customer visited using the logo, return address and letter content of the respective employer.

U.S. Pat. No. 6,067,525 Claim 1	U.S. Pat. No. 5,450,314	U.S. Pat. No. 4,567,359
1. A computer implemented sales system used to facilitate a sales process, the system comprising:	The preamble is not a limitation. Nonetheless, <u>see</u> FIG. 2 and col. 6, lines 59-61: A data processing method and system, which can be used in department or clothing stores as a sales promotion tool for face to face sales.	The preamble is not a limitation. Nonetheless, <u>see</u> Abstract; col. 3, lines 49-56; col. 9, lines 13-20 & 31-35: a computerized system applied to many types of customer service and sales industries.
a plurality of subsystems configured to facilitate one or more actions performed during at least one phase of the sales process; and	Col. 7, lines 1-5: FIG. 5 shows a data accumulation subsystem and FIG. 6 shows a data use subsystem to facilitate the system to propose recommendations of coordinates for women's clothes in a face to face sale (col. 10, lines 40-44 and lines 58-65).	Col. 5, lines 37-55; col. 3, lines 5-8: a central data processing center tied to remote insurance company terminals, transaction terminals, motor vehicle service bureaus and credit information and bank terminals for the preparation, verification and forwarding of insurance quotations and policy execution.
an event manager, coupled to the subsystems, the event manager detecting one or more changes in state characteristic of an event occurring within the system,	FIG. 1; col. 4, lines 21-60, and col. 9, lines 28-32: Processing Unit 201, and subunits 101-106, accumulate kansai information, create and display a proposed object therefrom, and generate alternative adjectives based upon buyer interaction. Col. 10, lines 1-23: proposed wardrobe coordinates are displayed (event) and user denotes satisfaction/no satisfaction for the elements (change in state of event) w/i the use subsystem of FIG. 6	Col. 7, line 61 to col. 8, line 2: central processor (event manager) detects changes in state of event (request for quotation).
inferring occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and	Col. 10, lines 1-23: context of event is user's previously accumulated kansai, which is analyzed as a result of the detected changes in state (user's satisfaction/no satisfaction selection) of the event (proposed wardrobe coordinates).	Col. 7, line 61 to col. 8, line 2: context of event (request for quotation) is the type of quote requested.
automatically initiating an operation in one or more particular subsystems of the computer to facilitate a new action based on the inferred context.	Col. 10, lines 1-23: the operation of analyzing the user profile/attribute info in the kansai database 1201 of the accumulation subsystem is auto initiated to propose substitutes (new action) for the elements deemed "no satisfaction" based upon user kansai suggesting high likelihood that proposed substitute would be accepted as adaptable with "satisfaction" elements.	Col. 7, line 61 to col. 8, line 2: auto initiation of location of applicable ratings info from insurance company terminal subsystems to facilitate action of making insurance calculation and providing quotation for each insurance company based on type of quote requested and "based on the information received from the customer." (col. 7, line 68).

U.S. Pat. No. 6,067,525 Claim 1	U.S. Pat. No. 5,216,592	U.S. Pat. No. 5,283,856
1. A computer implemented sales system used to facilitate a sales process, the system comprising:	The preamble is not a limitation. Nonetheless, <u>see</u> Col. 2, lines 2-9 & 37-38: data processing system for tracking items through a business process; for creating state based automation environments; and to process order items (thereby facilitating a sales process).	The preamble is not a limitation. Nonetheless, <u>see</u> 2:40-43 Present invention provides a flexible, efficient, event-driven and conditional rule-based system which can be transparently implemented for use, e.g., in electronic mail applications; Messaging Systems are sales systems used to facilitate a sales process.
a plurality of subsystems configured to facilitate one or more actions performed during at least one phase of the sales process; and	Col. 2, lines 51-61: definition facility kernel 104 & execution facility kernel 110.	6:24-47 Events can be synthesized based on inter-application communication (IAC). Microsoft DDE permits the exchange of data between disparate applications programs. Other applications can exchange data or parameters with a DDE interface, all performed during a phase of a sales process.
an event manager, coupled to the subsystems, the event manager detecting one or more changes in state characteristic of an event occurring within the system,	Col. 3, lines 64-68 – the process flow controller. See col. 4, lines 11-25: process flow controller controls task assignment and activation based upon item state and associated data. See col. 5, lines 1-20: after activity 206 completes ... Completion is the state characteristic of the activity, which is the event.	6:24-47 An event synthesizer component of the event manager, responsive to the DDE, creates an IAC event. The IAC event synthesizer uses an event record which includes client information. 8:3-5 Event manager 24 interfaces with the rest of the system. 9:27-30 When the event occurs, the event manager 24 fetches the event.
inferring occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and	Col. 5, lines 1-20: Collector asks for analysis (status update) concerning completed activity. State change process flow 162 controls situations where multiple parallel activities are required to be completed before processing of a subsequent step.	8:38-41 the occurrence of events causes selected conditions to be tested; when satisfied, the conditions cause actions to be taken; and actions in turn may lead to the occurrence of new events. 4:36-38 Various events can be specified to trigger evaluation of a condition and invocation of corresponding actions. 9:27-44 The rule engine 38, given the event occurrence and having the rule and associated message, then executes the rule by effecting performance of the specified action.
automatically initiating an operation in one or more particular subsystems of the computer to facilitate a new action based on the inferred context.	Col. 5, lines 1-20: In analyze value step 212, a determination may be made that the requirement is not cost justified, leading to a rejection step 216, ..., if step 212 leads to a rejection, then activity 214 will never be performed.	

U.S. Pat. No. 6,067,525 Claim 1	GoldMine Software v. 2.5a & Reference Manual Release 1994 – Manual ©1996	GoldMine Factsback v.2.5a Bulletin #371 – Nov. 15, 1993
1. A computer implemented sales system used to facilitate a sales process, the system comprising:	The preamble is not a limitation. Nonetheless, <u>see</u> Chap. 1, generally, and p.1: GoldMine maintains a database of information on contacts, prospective clients and current customers...A complete history of your interactions...holds detailed information on each contact such as prior sales, telephone calls or prior shipment...you can effectively track all of your commitments...Additionally, when Goldmine is used by multiple individuals on a network or notebooks...	The preamble is not a limitation. Nonetheless, <u>see</u> p.1: Automated Processes (AP) is a system to program GoldMine to perform actions automatically; e.g., schedule activities, add history, print mailings, and fax info...in the hope of making a sale
a plurality of subsystems configured to facilitate one or more actions performed during at least one phase of the sales process; and	Chap. 1, generally, and pp.1-3: GoldMine automates the following key areas of daily business activity: client/contact management (client contact and profile databases); time management (calendar/day timer; task management (via users on network or remote notebook computers); document management (document management and data exchange programs); and sales staff management (sales staff statistical databases).	p.1: tracks are made up of events. An event is a numbered line in your track that does something when a condition is met. Sequential events perform different actions in sequence; e.g, print a letter, schedule a call back. What an event does is called an action. The condition which controls whether the action is taken is called a trigger. The trigger for a sequential event must be met, and its action taken, before GoldMine will evaluate the next sequential event in the track.
an event manager, coupled to the subsystems, the event manager detecting one or more changes in state characteristic of an event occurring within the system,	Chap. 16, generally, and p. 227: GoldMine provides functionality that allows you to process tracks for all or a set of contact records. GoldMine scans the database for contact records having attached tracks. When found, GoldMine first determines if a track contains a preemptive event. Next, GoldMine evaluates trigger condition of the current event to determine if the event should be processed. If triggered, the event's action is performed, and the next event is evaluated. When the track has no longer any outstanding events, GoldMine looks at the next track, or the next contact record.	
inferring occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and	Chap. 16, generally, and p. 222: an Automated Process (AP) is referred to as a track. Tracks consist of ...two or more events, which are step by step instructions GoldMine must evaluate to perform a selected series of activities. Each event is composed of an action and a trigger. Actions, such as printing a letter or scheduling an activity, are performed based on pre-defined conditions, which are triggers that cause the actions to be executed. p. 223: Consider event – wait 10 days, print letter. The trigger is the passage of time. To determine when the action should be executed, GoldMine will start counting days after the completion of the prior event. p. 233-238: Each AP event performs a specific action based on a trigger. GoldMine evaluates triggers of the current event...when triggered, the event's action is performed and processing continues to the next event. The following trigger conditions can be used: elapsed days, immediate, profile record, history record, scheduled activity and Xbase condition. Profile, history,	p.1: Preemptive Events are usually conditions for ending a track...if you have a ...series of sequential events...callbacks sending prospective letters in hope of making a sale, and the sale is made; you should use a preemptive event to remove the track and stop GoldMine from sending the prospecting letters to that contact.
automatically initiating an operation in one or more particular subsystems of the computer to facilitate a new action based on the inferred context.		p.2: Planning Tracks of AP: determine what conditions could change under which you would want the track to end, for example, if the contact orders the products that your track is promoting,

	<p>scheduled activity and xBase condition can be preemptive events, specifying that the processing of the event's action cannot occur until a specified profile record, history record, other scheduled activity or a xBase expression occurs or is evaluated as true.</p> <p>Chap. 16, generally, and p. 221: The real power of Automated Processes ...automatically perform ...repetitive tasks required to close medium to long-length sales cycles.</p>	<p>you might want to add another track to sell other products to the contact and of course you should remove the original track so that the contact does not receive further promotion on a product already bought.</p>
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U.S. Pat. No. 6,067,525 Claim 1	Casanova, et al., “Expert System for Automatic Authorization of Deficits.” IEEE, 1989.	The Johnson Software, 1983
1. A computer implemented sales system used to facilitate a sales process, the system comprising:	The preamble is not a limitation. Nonetheless, <u>see</u> Abstract & p.732:col.1:lls1-5: Expert System for financial companies aiming for automatic authorization of debit operations when customer has insufficient funds is a sales system used to facilitate the sales process of selling a loan	The preamble is not a limitation. Nonetheless, <u>see</u> Transcript of June 9, 2008 Deposition of Jerome Johnson (“Johnson Tr. 1”) at 47:10-21, 69:1-70:14 The Johnson Software is a sales system, implemented by computer and used to facilitate sales. Transcript of June 10, 2008 Deposition of Jerome Johnson (“Johnson Tr. 2”) at 227:3-11.
a plurality of subsystems configured to facilitate one or more actions performed during at least one phase of the sales process; and	p.733:col.2:line 38 thru p.735:col.2:line60 & Fig. 2: A stratified knowledge base exists, where each stratum is formed of rule bases capable of decision making using information known therein. Discriminatory and accumulative knowledges exist. Discriminatory knowledge refers to info permitting immediate decision-making (e.g., various account balances and activity). Accumulative knowledge refers to various client characteristics, where each accumulative knowledge subsystem can evaluate such factors as client delinquency, economic solvency, customer profile, payment capacity, client condition, client image, etc. All factor evaluations facilitate decisions made during the process of selling a loan.	Johnson Tr. 2 at 227:3-11. The Johnson Software has multiple “modules,” each of which are used during different phases of the sales process and are configured to assist the salesperson in completing the actions associated with that phase of the sales process. For example, the “pricing” module facilitates the action of determining the price for the product requested by the customer during the pricing phase of the sales process. Johnson Tr. 1 at 100:5-15; Johnson Tr. 2 at 227:3-11; Johnson Tr. 228:10-22.
an event manager, coupled to the subsystems, the event manager detecting one or more changes in state characteristic of an event occurring within the system,	p.733:col.2:lls26-31 & Fig.1: An expert system is used, including inference engine, data base, logic control and graphic representation. An explication module of the expert system interacts with the stratified knowledge database and subsystems to factor contexts associated with the event to make a decision on the sale of the loan. p.733:col.2:lls20-22: the entry from a client into the system of a petition for overdraft protection, including the requested amount and date of request, are changes in state characteristic of an event occurring within the system.	The Johnson Software discussed in the Johnson deposition has multiple “modules,” each of which are used during different phases of the sales process and are configured to assist the salesperson in completing the actions associated with that phase of the sales process. In addition, Mr. Johnson testified that the Johnson Software includes features and/or functionality that are the same as the functionality of the event manager, for example the Johnson Software transfers information from one module to another, thereby illustrating the Johnson Software’s ability to detect a change in state in one module and thereafter incorporate that change into subsequent modules. Tr. 1 at 101:2-10; Johnson Tr. 2 at 227:3-232:25. Moreover, the language “detecting one or more changes in state characteristic of an event” means the same as

		“recognizing an event.” Johnson Tr. 2 at 212:21-213:6.
inferring occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and	Upon occurrence of the event (the petition for overdraft protection, at p.733:col.2:lls20-22), see p.733:col.1:lls45-52: a subjective study of the account is performed, attempting to identify the customer, his financial means, his habits, his personal expenses,...., and other factors constituting an economic and psychological profile. All are contexts in which the event occurred.	<p>According to Mr. Johnson, “inferring occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state” means the same as “determining a context in which the recognized event occurs.” Johnson Tr. 2 at 214:18-215:20.</p> <p>The Johnson Software infers the occurrence of an event, such as, for example, by inferring a customer contact (the “event”) and the context of the event by detecting when data has been entered into one “module” (“detected changes in state”). Johnson Tr. 1 at 101:2-10; Johnson Tr. 2 at 201:2-16; 232:16-25.</p>
automatically initiating an operation in one or more particular subsystems of the computer to facilitate a new action based on the inferred context.	<p>p.734:col.1:lls30-33: From each stratum of the accumulative knowledge, some quality of the client is obtained in response to occurrence of the event and contexts associated therewith, along with the ultimate decision on the sale.</p> <p>p. 736:col.1:lls44-54: The system is automatic, so there is no need for any human intervention in the decision-making process. All information necessary is taken from the Entity’s information services network. The system performs a personalized treatment of the operations between the client and the bank based on heuristics, just as an expert human would.</p>	The Johnson Software discussed in the Johnson deposition has multiple “modules,” each of which are used during different phases of the sales process and are configured to assist the salesperson in completing the actions associated with that phase of the sales process. One noted feature of the Johnson Software is that data that was entered into one module was <i>automatically</i> transferred to other modules within the system and could be used by those modules to assist the salesperson in the sales process. (Johnson Tr. 2 at 232:16-25)

U.S. Pat. No. 6,067,525 Claim 20	Mott's Business-Management Expert Planning System	U.S. Pat. No. 4,853,852
20. A method of facilitating a sales process using a computer arrangement having a plurality of subsystems configured to facilitate one or more actions performed during at least one phase of the sales process, the method comprising the steps of:	<p>The preamble is not a limitation.</p> <p>Nonetheless, <u>see</u> §2.4 is a Sales-Programme Subsystem within an EPS and business management planning system (See Abstract). See ¶37: A tool to predict which prospects will materialize and how soon.</p> <p>Abstract & ¶3: four subsystems are resource scheduling, market-intelligence, technical expertise and sale programme. See ¶6: expert system includes knowledge database, an inference engine and information database. See ¶11 & FIG. 5: The Information database includes the four subsystems as well.</p>	<p>The preamble is not a limitation.</p> <p>Nonetheless, <u>see</u> Abstract, FIG. 1 and col. 3, lines 4-11: A marketing tool having a portable lap computer for recording a sales call, and a master computer to automatically prepare planners</p> <p>FIG. 1 and col. 3, lines 19-31: lap computer of each salesperson, each employer computer, the master computer system and all related databases are the subsystems.</p>
automatically detecting one or more changes in state characteristic of an event occurring in the sales process,	§ 4: Inference Engine is the event manager, coupled to knowledge and information databases with four subsystems.	FIG. 1 & col. 3, lines 19-24 – the master computer facility is the event manager, which detects the day's customer call information from each salesperson of each employer (each visit is an event).
inferring occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and	<p>¶39 & FIG. 10: Table of Prospect Attributes - ¶25: Market Intelligence. ¶27: In obtaining and analyzing market intelligence, trends about changing markets are identified, providing pointers to changes in technical-expertise subsystem.</p> <p>¶40 & FIG. 11: Model's product range is event occurrence, context is prospect table of attributes.</p>	Col. 4, lines 39-62: the master computer infers event occurrence (customer visit) and a context of the event (the employer of each salesperson).
automatically initiating an operation in one or more particular subsystems of the computer to facilitate a new action based on the inferred context.	<p>¶40 & FIG. 11: A more comprehensive product package is developed from event occurrence and attribute information.</p> <p>¶44: Inference engine uses and applies knowledge rules to incoming or existing information to create expert advice for the user.</p>	Col. 4, lines 39-62: the master computer generates a thank you letter to the customer visited using the logo, return address and letter content of the respective employer.

U.S. Pat. No. 6,067,525 Claim 20	U.S. Pat. No. 5,450,314	U.S. Pat. No. 4,567,359
20. A method of facilitating a sales process using a computer arrangement having a plurality of subsystems configured to facilitate one or more actions performed during at least one phase of the sales process, the method comprising the steps of:	<p>The preamble is not a limitation.</p> <p>Nonetheless, <u>see</u> FIG. 2 and col. 6, lines 59-61: A data processing method and system, which can be used in department or clothing stores as a sales promotion tool for face to face sales.</p> <p>Col. 7, lines 1-5: FIG. 5 shows a data accumulation subsystem and FIG. 6 shows a data use subsystem to facilitate the system to propose recommendations of coordinates for women's clothes in a face to face sale (col. 10, lines 40-44 and lines 58-65).</p>	<p>The preamble is not a limitation.</p> <p>Nonetheless, <u>see</u> Abstract; col. 3, lines 49-56; col. 9, lines 13-20 & 31-35: a computerized system applied to many types of customer service and sales industries.</p> <p>Col. 5, lines 37-55; col. 3, lines 5-8: a central data processing center tied to remote insurance company terminals, transaction terminals, motor vehicle service bureaus and credit information and bank terminals for the preparation, verification and forwarding of insurance quotations and policy execution.</p>
automatically detecting one or more changes in state characteristic of an event occurring in the sales process,	<p>FIG. 1; col. 4, lines 21-60, and col. 9, lines 28-32: Processing Unit 201, and subunits 101-106, accumulate kansai information, create and display a proposed object therefrom, and generate alternative adjectives based upon buyer interaction.</p> <p>Col. 10, lines 1-23: proposed wardrobe coordinates are displayed (event) and user denotes satisfaction/no satisfaction for the elements (change in state of event) w/i the use subsystem of FIG. 6</p>	<p>Col. 7, line 61 to col. 8, line 2: central processor (event manager) detects changes in state of event (request for quotation).</p>
inferring occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and	<p>Col. 10, lines 1-23: context of event is user's previously accumulated kansai, which is analyzed as a result of the detected changes in state (user's satisfaction/no satisfaction selection) of the event (proposed wardrobe coordinates).</p>	<p>Col. 7, line 61 to col. 8, line 2: context of event (request for quotation) is the type of quote requested.</p>
automatically initiating an operation in one or more particular subsystems of the computer to facilitate a new action based on the inferred context.	<p>Col. 10, lines 1-23: the operation of analyzing the user profile/attribute info in the kansai database 1201 of the accumulation subsystem is auto initiated to propose substitutes (new action) for the elements deemed "no satisfaction" based upon user kansai suggesting high likelihood that proposed substitute would be accepted as adaptable with "satisfaction" elements.</p>	<p>Col. 7, line 61 to col. 8, line 2: auto initiation of location of applicable ratings info from insurance company terminal subsystems to facilitate action of making insurance calculation and providing quotation for each insurance company based on type of quote requested and "based on the information received from the customer." (col. 7, line 68).</p>

U.S. Pat. No. 6,067,525 Claim 20	U.S. Pat. No. 5,216,592	U.S. Pat. No. 5,283,856
20. A method of facilitating a sales process using a computer arrangement having a plurality of subsystems configured to facilitate one or more actions performed during at least one phase of the sales process, the method comprising the steps of:	<p>The preamble is not a limitation.</p> <p>Nonetheless, <u>see</u> Col. 2, lines 2-9 & 37-38: data processing system for tracking items through a business process; for creating state based automation environments; and to process order items (thereby facilitating a sales process).</p> <p>Col. 2, lines 51-61: definition facility kernel 104 & execution facility kernel 110.</p>	<p>The preamble is not a limitation.</p> <p>Nonetheless, <u>see</u> 2:40-43 Present invention provides a flexible, efficient, event-driven and conditional rule-based system which can be transparently implemented for use, e.g., in electronic mail applications; Messaging Systems are sales systems used to facilitate a sales process.</p> <p>6:24-47 Events can be synthesized based on inter-application communication (IAC). Microsoft DDE permits the exchange of data between disparate applications programs. Other applications can exchange data or parameters with a DDE interface, all performed during a phase of a sales process.</p>
automatically detecting one or more changes in state characteristic of an event occurring in the sales process,	Col. 3, lines 64-68 – the process flow controller. See col. 4, lines 11-25: process flow controller controls task assignment and activation based upon item state and associated data. See col. 5, lines 1-20: after activity 206 completes ... Completion is the state characteristic of the activity, which is the event.	6:24-47 An event synthesizer component of the event manager, responsive to the DDE, creates an IAC event. The IAC event synthesizer uses an event record which includes client information. 8:3-5 Event manager 24 interfaces with the rest of the system. 9:27-30 When the event occurs, the event manager 24 fetches the event.
inferring occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and	Col. 5, lines 1-20: Collector asks for analysis (status update) concerning completed activity. State change process flow 162 controls situations where multiple parallel activities are required to be completed before processing of a subsequent step.	8:38-41 the occurrence of events causes selected conditions to be tested; when satisfied, the conditions cause actions to be taken; and actions in turn may lead to the occurrence of new events. 4:36-38 Various events can be specified to trigger evaluation of a condition and invocation of corresponding actions. 9:27-44 The rule engine 38, given the event occurrence and having the rule and associated message, then executes the rule by effecting performance of the specified action.
automatically initiating an operation in one or more particular subsystems of the computer to facilitate a new action based on the inferred context.	Col. 5, lines 1-20: In analyze value step 212, a determination may be made that the requirement is not cost justified, leading to a rejection step 216, ..., if step 212 leads to a rejection, then activity 214 will never be performed.	

U.S. Pat. No. 6,067,525 Claim 20	GoldMine Software v. 2.5a & Reference Manual Release 1994 – Manual ©1996	GoldMine Factsback v.2.5a Bulletin #371 – Nov. 15, 1993
20. A method of facilitating a sales process using a computer arrangement having a plurality of subsystems configured to facilitate one or more actions performed during at least one phase of the sales process, the method comprising the steps of:	<p>The preamble is not a limitation.</p> <p>Nonetheless, <u>see</u> Chap. 1, generally, and p.1: GoldMine maintains a database of information on contacts, prospective clients and current customers...A complete history of your interactions...holds detailed information on each contact such as prior sales, telephone calls or prior shipment...you can effectively track all of your commitments...Additionally, when Goldmine is used by multiple individuals on a network or notebooks...</p> <p>Chap. 1, generally, and pp.1-3: GoldMine automates the following key areas of daily business activity: client/contact management (client contact and profile databases); time management (calendar/day timer; task management (via users on network or remote notebook computers); document management (document management and data exchange programs); and sales staff management (sales staff statistical databases).</p>	<p>The preamble is not a limitation.</p> <p>Nonetheless, <u>see</u> p.1: Automated Processes (AP) is a system to program GoldMine to perform actions automatically; e.g., schedule activities, add history, print mailings, and fax info...in the hope of making a sale</p> <p>p.1: tracks are made up of events. An event is a numbered line in your track that does something when a condition is met. Sequential events perform different actions in sequence; e.g, print a letter, schedule a call back.</p>
automatically detecting one or more changes in state characteristic of an event occurring in the sales process,	Chap. 16, generally, and p. 227: GoldMine provides functionality that allows you to process tracks for all or a set of contact records. GoldMine scans the database for contact records having attached tracks. When found, GoldMine first determines if a track contains a preemptive event. Next, GoldMine evaluates trigger condition of the current event to determine if the event should be processed. If triggered, the event's action is performed, and the next event is evaluated. When the track has no longer any outstanding events, GoldMine looks at the next track, or the next contact record.	What an event does is called an action. The condition which controls whether the action is taken is called a trigger. The trigger for a sequential event must be met, and its action taken, before GoldMine will evaluate the next sequential event in the track.
inferring occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and	Chap. 16, generally, and p. 222: an Automated Process (AP) is referred to as a track. Tracks consist of ...two or more events, which are step by step instructions GoldMine must evaluate to perform a selected series of activities. Each event is composed of an action and a trigger. Actions, such as printing a letter or scheduling an activity, are performed based on pre-defined conditions, which are triggers that cause the actions to be executed. p. 223: Consider event – wait 10 days, print letter. The trigger is the passage of time. To determine when the action should be executed, GoldMine will start counting days after the completion of the prior event. p. 233-238: Each AP event performs a specific action based on a trigger. GoldMine evaluates triggers of the current event...when triggered, the event's action is performed and processing continues to the next event. The following trigger conditions can be used: elapsed days, immediate, profile record, history record, scheduled activity and Xbase condition. Profile, history,	p.1: Preemptive Events are usually conditions for ending a track...if you have a ...series of sequential events...callbacks sending prospective letters in hope of making a sale, and the sale is made; you should use a preemptive event to remove the track and stop GoldMine from sending the prospecting letters to that contact.
automatically initiating an operation in one or more particular subsystems of the computer to facilitate a new action based on the inferred context.		p.2: Planning Tracks of AP: determine what conditions could change under which you would want the track to end, for example, if the contact orders the products that your track is promoting,

	<p>scheduled activity and xBase condition can be preemptive events, specifying that the processing of the event's action cannot occur until a specified profile record, history record, other scheduled activity or a xBase expression occurs or is evaluated as true.</p> <p>Chap. 16, generally, and p. 221: The real power of Automated Processes ...automatically perform ...repetitive tasks required to close medium to long-length sales cycles.</p>	<p>you might want to add another track to sell other products to the contact and of course you should remove the original track so that the contact does not receive further promotion on a product already bought.</p>
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U.S. Pat. No. 6,067,525 Claim 20	Casanova, et al., "Expert System for Automatic Authorization of Deficits." IEEE, 1989.
20. A method of facilitating a sales process using a computer arrangement having a plurality of subsystems configured to facilitate one or more actions performed during at least one phase of the sales process, the method comprising the steps of:	<p>The preamble is not a limitation.</p> <p>Nonetheless, <u>see</u> Abstract & p.732:col.1:lls1-5: Expert System for financial companies aiming for automatic authorization of debit operations when customer has insufficient funds is a sales system used to facilitate the sales process of selling a loan</p> <p>p.733:col.2:line 38 thru p.735:col.2:line60 & Fig. 2: A stratified knowledge base exists, where each stratum is formed of rule bases capable of decision making using information known therein. Discriminatory and accumulative knowledges exist. Discriminatory knowledge refers to info permitting immediate decision-making (e.g., various account balances and activity). Accumulative knowledge refers to various client characteristics, where each accumulative knowledge subsystem can evaluate such factors as client delinquency, economic solvency, customer profile, payment capacity, client condition, client image, etc. All factor evaluations facilitate decisions made during the process of selling a loan.</p>
automatically detecting one or more changes in state characteristic of an event occurring in the sales process,	<p>p.733:col.2:lls26-31 & Fig.1: An expert system is used, including inference engine, data base, logic control and graphic representation. An explication module of the expert system interacts with the stratified knowledge database and subsystems to factor contexts associated with the event to make a decision on the sale of the loan.</p> <p>p.733:col.2:lls20-22: the entry from a client into the system of a petition for overdraft protection, including the requested amount and date of request, are changes in state characteristic of an event occurring within the system.</p>
inferring occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and	<p>Upon occurrence of the event (the petition for overdraft protection, at p.733:col.2:lls20-22), see p.733:col.1:lls45-52: a subjective study of the account is performed, attempting to identify the customer, his financial means, his habits, his personal expenses,..., and other factors constituting an economic and psychological profile. All are contexts in which the event occurred.</p>
automatically initiating an operation in one or more particular subsystems of the computer to facilitate a new action based on the inferred context.	<p>p.734:col.1:lls30-33: From each stratum of the accumulative knowledge, some quality of the client is obtained in response to occurrence of the event and contexts associated therewith, along with the ultimate decision on the sale.</p> <p>p. 736:col.1:lls44-54: The system is automatic, so there is no need for any human intervention in the decision-making process. All information necessary is taken from the Entity's information services network. The system performs a personalized treatment of the operations between the client and the bank based on heuristics, just as an expert human would.</p>

U.S. Pat. No. 6,067,525 Claim 20	Jerome Johnson Unnamed Software, 1983
20. A method of facilitating a sales process using a computer arrangement having a plurality of subsystems configured to facilitate one or more actions performed during at least one phase of the sales process, the method comprising the steps of:	<p>The preamble is not a limitation.</p> <p>Nonetheless, <u>see</u> Transcript of June 9, 2008 Deposition of Jerome Johnson (“Johnson Tr. 1”) at 47:10-21, 69:1-70:14 The Johnson Software is a sales system, implemented by computer and used to facilitate sales. Johnson Tr. 2 at 227:3-11.</p>
automatically detecting one or more changes in state characteristic of an event occurring in the sales process,	<p>The language “detecting one or more changes in state characteristic of an event” means the same as “recognizing an event.” Johnson Tr. 2 at 212:21-213:6.</p> <p>The Johnson Software discussed in the Johnson deposition has multiple “modules,” each of which are used during different phases of the sales process and are configured to assist the salesperson in completing the actions associated with that phase of the sales process. The Johnson Software detects one or more changes in state characteristic of an event and/or recognizes an event by, for example, automatically detecting that the sales process has transitioned from the “pricing” module to the “quoting” module and transferring information from one module to another, thereby illustrating the Johnson Software’s ability to detect a change in state in one module and thereafter incorporate that change into subsequent modules. Tr. 1 at 101:2-10; Johnson Tr. 2 at 227:3-232:25.</p> <p>The Johnson Software could detect when information was input into one module and then transfer that information to another module, thereby illustrating the Johnson Software’s ability to detect a change in state in one module and thereafter automatically incorporate that change into subsequent modules. In other words, no human intervention was required. (Johnson Tr. 2 at 232:16-25).</p>
inferring occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and	<p>According to Mr. Johnson, “inferring occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state” means the same as “determining a context in which the recognized event occurs.” Johnson Tr. 2 at 214:18-215:20.</p> <p>The Johnson Software infers the occurrence of an event, such as, for example, by inferring a customer contact (the “event”) and the context of the event by detecting when data has been entered into one “module” (“detected changes in state”). Johnson Tr. 1 at 101:2-10; Johnson Tr. 2 at 201:2-16; 232:16-25.</p>
automatically initiating an operation in one or more particular subsystems of the computer to facilitate a new action based on the inferred context.	<p>The Johnson Software discussed in the Johnson deposition has multiple “modules”, each of which are used during different phases of the sales process and are configured to assist the salesperson in completing the actions associated with that phase of the sales process. One noted feature of the Johnson Software is that data that was entered into one module was automatically transferred to other modules within the system and could be used by those modules to assist the salesperson in the sales process. (Johnson Tr. 2 at 232:16-25)</p>

U.S. Pat. No. 6,067,525 Claim 40	Mott's Business-Management Expert Planning System	U.S. Pat. No. 4,853,852
40. A computer implemented sales system used to facilitate a sales process, the system comprising:	The preamble is not a limitation. Nonetheless, <u>see</u> §2.4 is a Sales-Programme Subsystem within an EPS and business management planning system (See Abstract). See ¶37: A tool to predict which prospects will materialize and how soon	The preamble is not a limitation. Nonetheless, <u>see</u> Abstract, FIG. 1 and col. 3, lines 4-11: A marketing tool having a portable lap computer for recording a sales call, and a master computer to automatically prepare planners
a plurality of subsystems configured to electronically facilitate actions performed during the sales process; and	Abstract & ¶3: four subsystems are resource scheduling, market-intelligence, technical expertise and sale programme. See ¶6: expert system includes knowledge database, an inference engine and information database. See ¶11 & FIG. 5: The Information database includes the four subsystems as well.	FIG. 1 and col. 3, lines 19-31: lap computer of each salesperson, each employer computer, the master computer system and all related databases are the subsystems.
an event manager, coupled to the subsystems and configured to detect one or more changes in state characteristic of an event occurring within the system,	§ 4: Inference Engine is the event manager, coupled to knowledge and information databases with four subsystems.	FIG. 1 & col. 3, lines 19-24 – the master computer facility is the event manager, which detects the day's customer call information from each salesperson of each employer (each visit is an event).
infer occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and		
link the inferred event with an action to be performed during the sales process based on prior sales experience using the sales system, and		
automatically initiate an operation using one or more of the plurality of subsystems to facilitate the action to be performed based on the inferred context.	¶39 & FIG. 10: Table of Prospect Attributes - ¶25: Market Intelligence. ¶27: In obtaining and analyzing market intelligence, trends about changing markets are identified, providing pointers to changes in technical-expertise subsystem. ¶40 & FIG. 11: Model's product range is event occurrence, context is prospect table of attributes. ¶40 & FIG. 11: A more comprehensive product package is developed from event occurrence and attribute information. ¶44: Inference engine uses and applies knowledge rules to incoming or existing information to create expert advice for the user.	Col. 4, lines 39-62: the master computer infers event occurrence (customer visit) and a context of the event (the employer of each salesperson). Col. 4, lines 39-62: the master computer generates a thank you letter to the customer visited using the logo, return address and letter content of the respective employer.

U.S. Pat. No. 6,067,525 Claim 40	U.S. Pat. No. 5,450,314	U.S. Pat. No. 4,567,359
40. A computer implemented sales system used to facilitate a sales process, the system comprising:	The preamble is not a limitation. Nonetheless, <u>see</u> FIG. 2 and col. 6, lines 59-61: A data processing method and system, which can be used in department or clothing stores as a sales promotion tool for face to face sales.	The preamble is not a limitation. Nonetheless, <u>see</u> Abstract; col. 3, lines 49-56; col. 9, lines 13-20 & 31-35: a computerized system applied to many types of customer service and sales industries.
a plurality of subsystems configured to electronically facilitate actions performed during the sales process; and	Col. 7, lines 1-5: FIG. 5 shows a data accumulation subsystem and FIG. 6 shows a data use subsystem to facilitate the system to propose recommendations of coordinates for women's clothes in a face to face sale (col. 10, lines 40-44 and lines 58-65).	Col. 5, lines 37-55; col. 3, lines 5-8: a central data processing center tied to remote insurance company terminals, transaction terminals, motor vehicle service bureaus and credit information and bank terminals for the preparation, verification and forwarding of insurance quotations and policy execution.
an event manager, coupled to the subsystems and configured to detect one or more changes in state characteristic of an event occurring within the system,	FIG. 1; col. 4, lines 21-60, and col. 9, lines 28-32: Processing Unit 201, and subunits 101-106, accumulate kansai information, create and display a proposed object therefrom, and generate alternative adjectives based upon buyer interaction. Col. 10, lines 1-23: proposed wardrobe coordinates are displayed (event) and user denotes satisfaction/no satisfaction for the elements (change in state of event) w/i the use subsystem of FIG. 6	Col. 7, line 61 to col. 8, line 2: central processor (event manager) detects changes in state of event (request for quotation).
infer occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and link the inferred event with an action to be performed during the sales process based on prior sales experience using the sales system, and	Col. 10, lines 1-23: context of event is user's previously accumulated kansai, which is analyzed as a result of the detected changes in state (user's satisfaction/no satisfaction selection) of the event (proposed wardrobe coordinates).	Col. 7, line 61 to col. 8, line 2: context of event (request for quotation) is the type of quote requested.
automatically initiate an operation using one or more of the plurality of subsystems to facilitate the action to be performed based on the inferred context.	Col. 10, lines 1-23: the operation of analyzing the user profile/attribute info in the kansai database 1201 of the accumulation subsystem is auto initiated to propose substitutes (new action) for the elements deemed "no satisfaction" based upon user kansai suggesting high likelihood that proposed substitute would be accepted as adaptable with "satisfaction" elements.	Col. 7, line 61 to col. 8, line 2: auto initiation of location of applicable ratings info from insurance company terminal subsystems to facilitate action of making insurance calculation and providing quotation for each insurance company based on type of quote requested and "based on the information received from the customer." (col. 7, line 68).

U.S. Pat. No. 6,067,525 Claim 40	U.S. Pat. No. 5,216,592	U.S. Pat. No. 5,283,856
40. A computer implemented sales system used to facilitate a sales process, the system comprising:	The preamble is not a limitation. Nonetheless, <u>see</u> Col. 2, lines 2-9 & 37-38: data processing system for tracking items through a business process; for creating state based automation environments; and to process order items (thereby facilitating a sales process).	The preamble is not a limitation. Nonetheless, <u>see</u> 2:40-43 Present invention provides a flexible, efficient, event-driven and conditional rule-based system which can be transparently implemented for use, e.g., in electronic mail applications; Messaging Systems are sales systems used to facilitate a sales process.
a plurality of subsystems configured to electronically facilitate actions performed during the sales process; and	Col. 2, lines 51-61: definition facility kernel 104 & execution facility kernel 110.	6:24-47 Events can be synthesized based on inter-application communication (IAC). Microsoft DDE permits the exchange of data between disparate applications programs. Other applications can exchange data or parameters with a DDE interface, all performed during a phase of a sales process.
an event manager, coupled to the subsystems and configured to detect one or more changes in state characteristic of an event occurring within the system,	Col. 3, lines 64-68 – the process flow controller. See col. 4, lines 11-25: process flow controller controls task assignment and activation based upon item state and associated data. See col. 5, lines 1-20: after activity 206 completes ... Completion is the state characteristic of the activity, which is the event.	6:24-47 An event synthesizer component of the event manager, responsive to the DDE, creates an IAC event. The IAC event synthesizer uses an event record which includes client information. 8:3-5 Event manager 24 interfaces with the rest of the system. 9:27-30 When the event occurs, the event manager 24 fetches the event.
infer occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and		
link the inferred event with an action to be performed during the sales process based on prior sales experience using the sales system, and		

<p>automatically initiate an operation using one or more of the plurality of subsystems to facilitate the action to be performed based on the inferred context.</p>	<p>Col. 5, lines 1-20: In analyze value step 212, a determination may be made that the requirement is not cost justified, leading to a rejection step 216, ..., if step 212 leads to a rejection, then activity 214 will never be performed.</p>	
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U.S. Pat. No. 6,067,525 Claim 40	GoldMine Software v. 2.5a & Reference Manual Release 1994 – Manual ©1996	GoldMine Factsback v.2.5a Bulletin #371 – Nov. 15, 1993
40. A computer implemented sales system used to facilitate a sales process, the system comprising:	The preamble is not a limitation. Nonetheless, <u>see</u> Chap. 1, generally, and p.1: GoldMine maintains a database of information on contacts, prospective clients and current customers...A complete history of your interactions...holds detailed information on each contact such as prior sales, telephone calls or prior shipment...you can effectively track all of your commitments...Additionally, when Goldmine is used by multiple individuals on a network or notebooks...	The preamble is not a limitation. Nonetheless, <u>see</u> p.1: Automated Processes (AP) is a system to program GoldMine to perform actions automatically; e.g., schedule activities, add history, print mailings, and fax info...in the hope of making a sale
a plurality of subsystems configured to electronically facilitate actions performed during the sales process; and	Chap. 1, generally, and pp.1-3: GoldMine automates the following key areas of daily business activity: client/contact management (client contact and profile databases); time management (calendar/day timer; task management (via users on network or remote notebook computers); document management (document management and data exchange programs); and sales staff management (sales staff statistical databases).	p.1: tracks are made up of events. An event is a numbered line in your track that does something when a condition is met. Sequential events perform different actions in sequence; e.g, print a letter, schedule a call back. What an event does is called an action. The condition which controls whether the action is taken is called a trigger. The trigger for a sequential event must be met, and its action taken, before GoldMine will evaluate the next sequential event in the track.
an event manager, coupled to the subsystems and configured to detect one or more changes in state characteristic of an event occurring within the system,	Chap. 16, generally, and p. 227: GoldMine provides functionality that allows you to process tracks for all or a set of contact records. GoldMine scans the database for contact records having attached tracks. When found, GoldMine first determines if a track contains a preemptive event. Next, GoldMine evaluates trigger condition of the current event to determine if the event should be processed. If triggered, the event's action is performed, and the next event is evaluated. When the track has no longer any outstanding events, GoldMine looks at the next track, or the next contact record.	
infer occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and	Chap. 16, generally, and p. 222: an Automated Process (AP) is referred to as a track. Tracks consist of ...two or more events, which are step by step instructions GoldMine must evaluate to perform a selected series of activities. Each event is composed of an action and a trigger. Actions, such as printing a letter or scheduling an activity, are performed based on pre-defined conditions, which are triggers that cause the actions to be executed. p. 223: Consider event – wait 10 days, print letter. The trigger is the passage of time. To determine when the action should be executed, GoldMine will start counting days after the completion of the prior event. p. 233-238: Each AP event performs a specific action based on a trigger. GoldMine evaluates triggers of the current event...when triggered, the event's action is performed and processing continues to the next event. The following trigger conditions can be used: elapsed days, immediate, profile record, history record, scheduled activity and Xbase condition. Profile, history,	p.1: Preemptive Events are usually conditions for ending a track...if you have a ...series of sequential events...callbacks sending prospective letters in hope of making a sale, and the sale is made; you should use a preemptive event to remove the track and stop GoldMine from sending the prospecting letters to that contact.
link the inferred event with an action to be performed during the sales process based on prior sales experience using the sales system, and		p.2: Planning Tracks of AP: determine what conditions could change under which you would want the track to end, for example, if the contact orders the products that your track is promoting,
automatically initiate an operation using one or more of the plurality of subsystems to facilitate the action to be performed based on the inferred context.		

	<p>scheduled activity and xBase condition can be preemptive events, specifying that the processing of the event's action cannot occur until a specified profile record, history record, other scheduled activity or a xBase expression occurs or is evaluated as true.</p> <p>Chap. 16, generally, and p. 221: The real power of Automated Processes ...automatically perform ...repetitive tasks required to close medium to long-length sales cycles.</p>	<p>you might want to add another track to sell other products to the contact and of course you should remove the original track so that the contact does not receive further promotion on a product already bought.</p>
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U.S. Pat. No. 6,067,525 Claim 40	Casanova, et al., "Expert System for Automatic Authorization of Deficits." IEEE, 1989.
40. A computer implemented sales system used to facilitate a sales process, the system comprising:	The preamble is not a limitation. Nonetheless, <u>see</u> Abstract & p.732:col.1:lls1-5: Expert System for financial companies aiming for automatic authorization of debit operations when customer has insufficient funds is a sales system used to facilitate the sales process of selling a loan
a plurality of subsystems configured to electronically facilitate actions performed during the sales process; and	p.733:col.2:line 38 thru p.735:col.2:line60 & Fig. 2: A stratified knowledge base exists, where each stratum is formed of rule bases capable of decision making using information known therein. Discriminatory and accumulative knowledges exist. Discriminatory knowledge refers to info permitting immediate decision-making (e.g., various account balances and activity). Accumulative knowledge refers to various client characteristics, where each accumulative knowledge subsystem can evaluate such factors as client delinquency, economic solvency, customer profile, payment capacity, client condition, client image, etc. All factor evaluations facilitate decisions made during the process of selling a loan.
an event manager, coupled to the subsystems and configured to detect one or more changes in state characteristic of an event occurring within the system,	p.733:col.2:lls26-31 & Fig.1: An expert system is used, including inference engine, data base, logic control and graphic representation. An explication module of the expert system interacts with the stratified knowledge database and subsystems to factor contexts associated with the event to make a decision on the sale of the loan. p.733:col.2:lls20-22: the entry from a client into the system of a petition for overdraft protection, including the requested amount and date of request, are changes in state characteristic of an event occurring within the system.
infer occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and	Upon occurrence of the event (the petition for overdraft protection, at p.733:col.2:lls20-22), see p.733:col.1:lls45-52: a subjective study of the account is performed, attempting to identify the customer, his financial means, his habits, his personal expenses,..., and other factors constituting an economic and psychological profile. All are contexts in which the event occurred.
link the inferred event with an action to be performed during the sales process based on prior sales experience using the sales system, and	
automatically initiate an operation using one or more of the plurality of subsystems to facilitate the action to be performed based on the inferred context.	p.734:col.1:lls30-33: From each stratum of the accumulative knowledge, some quality of the client is obtained in response to occurrence of the event and contexts associated therewith, along with the ultimate decision on the sale. p. 736:col.1:lls44-54: The system is automatic, so there is no need for any human intervention in the decision-making process. All information necessary is taken from the Entity's information services network. The system performs a personalized treatment of the operations between the client and the bank based on heuristics, just as an expert human would.

U.S. Pat. No. 6,067,525 Claim 40	Jerome Johnson Unnamed Software, 1983
40. A computer implemented sales system used to facilitate a sales process, the system comprising:	The preamble is not a limitation. Nonetheless, <u>see</u> Transcript of June 9, 2008 Deposition of Jerome Johnson (“Johnson Tr. 1”) at 47:10-21, 69:1-70:14 The Johnson Software is a sales system, implemented by computer and used to facilitate sales. Johnson Tr. 2 at 227:3-11.
a plurality of subsystems configured to electronically facilitate actions performed during the sales process; and	Johnson Tr. 2 at 227:3-11. The Johnson Software has multiple “modules,” each of which are used during different phases of the sales process and are configured to assist the salesperson in completing the actions associated with that phase of the sales process. For example, the “pricing” module facilitates the action of determining the price for the product requested by the customer during the pricing phase of the sales process. Johnson Tr. 1 at 100:5-15; Johnson Tr. 2 at 227:3-11; Johnson Tr. 228:10-22.
an event manager, coupled to the subsystems and configured to detect one or more changes in state characteristic of an event occurring within the system,	The Johnson Software discussed in the Johnson deposition has multiple “modules,” each of which are used during different phases of the sales process and are configured to assist the salesperson in completing the actions associated with that phase of the sales process. In addition, Mr. Johnson testified that the Johnson Software includes features and/or functionality that are the same as the functionality of the event manager, for example the Johnson Software transfers information from one module to another, thereby illustrating the Johnson Software’s ability to detect a change in state in one module and thereafter incorporate that change into subsequent modules. Tr. 1 at 101:2-10; Johnson Tr. 2 at 227:3-232:25. Moreover, the language “detecting one or more changes in state characteristic of an event” means the same as “recognizing an event.” Johnson Tr. 2 at 212:21-213:6.
infer occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and	According to Mr. Johnson, “inferring occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state” means the same as “determining a context in which the recognized event occurs.” Johnson Tr. 2 at 214:18-215:20.
link the inferred event with an action to be performed during the sales process based on prior sales experience using the sales system, and	The Johnson Software infers the occurrence of an event, such as, for example, by inferring a customer contact (the “event”) and the context of the event by detecting when data has been entered into one “module” (“detected changes in state”). Johnson Tr. 1 at 101:2-10; Johnson Tr. 2 at 201:2-16; 232:16-25 The inferred event is linked to an action to be performed based on prior sales experience because the relationship between the inferred event and the action to be performed is controlled by the rules programmed into the system, which necessarily rely on prior sales experience. Johnson Tr. 2 at 165:7-22.
automatically initiate an operation using one or more of the plurality of subsystems to facilitate the action to be performed based on the inferred context.	The Johnson Software discussed in the Johnson deposition has multiple “modules”, each of which are used during different phases of the sales process and are configured to assist the salesperson in completing the actions associated with that phase of the sales process. One noted feature of the Johnson Software is that data that was entered into one module was <i>automatically</i> transferred to other modules within the system and could be used by those modules to assist the salesperson in the sales process. (Johnson Tr. 2 at 232:16-25)

U.S. 6,067,525	Cragun – U.S. 5,774,868
1. A computer implemented sales system used to facilitate a sales process, the system comprising:	The preamble is not a limitation. Nonetheless, <u>see</u> Abstract. An automated sales promotion selection system uses neural networks to identify promising sales promotions based on recent customer purchases.
a plurality of subsystems configured to facilitate one or more actions performed during at least one phase of the sales process; and	Customer Information Device (Fig.1, 14), Billing Terminal 16, and Sales Promotion Output Device 17 (Col. 3, line 66-col. 4, line 27).
an event manager, coupled to the subsystems, the event manager detecting one or more changes in state characteristic of an event occurring within the system,	Computer system 12, Neural network purchase adviser subsystem 24, demographic prediction subsystem 25; The customer information devices 14 and billing terminals 16 communicate with the computer system 12 using an I/O interface 34. (col. 4 lines 28-52). As items are purchased in a store, the neural network purchase adviser subsystem is invoked (col. 4, lines 55-57). Sales made via telephone orders and/or in the telemarketing context can be used with the system. (col. 18, lines 16-20). The demographic prediction subsystem 25 predicts the customer population that can be expected to be within the store at any one time based on a variety of factors. (Col. 16, lines 58-66).
inferring occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and	The purchase adviser 24 neural network automatically collects purchase transaction data, segments the purchase items of a particular customer purchase transaction into predetermined purchase classes that define groups of items ordinarily purchased together, and identifies items that belong to a purchase class but were missing from the purchase transaction. (Fig. 10, col. 11, line 36-col. 12, line 13; col. 18, lines 21-27). The demographic prediction subsystem 25 processes the collected data to generate output comprising a predicted customer population inside the store at a given time. The demographic subsystem processes the predicted customer population with another neural network of the subsystem to generate output comprising predicted purchases. That is, a listing of items that the subsystem predicts would be purchased by a typical customer at the given time. (Col. 17, lines 44-60).
automatically initiating an operation in one or more particular subsystems of the computer to facilitate a new action based on the inferred context.	The system then selects a sales promotion to suggest the purchase of a missing item that likely will result in an additional sale. (col. 18, lines 27-29.) The missing items can then be suggested by a sales clerk for purchase or can be the subject of an automatically produced promotion, such as a coupon that can be redeemed for a discounted purchase price. (col. 2, lines 56-59). The demographic prediction subsystem 25 provides the predicted sales purchase data to the purchase advisor subsystem and its neural networks. The purchase advisor subsystem will segment the purchase items into purchase classes and generate selected sales promotions, such as purchase suggestions. The selected sales promotions can be used on the

	<p>general customer population or for direct mail campaigns and the like, rather than the use described previously of targeting particular customers making purchases.</p> <p>The output comprising the predicted customer population in the store and the output comprising the predicted purchase transactions can be used independently of any use in the purchase advisor subsystem.</p> <p>It might be useful to a store manager to have a sense of customers that can be expected in a store at anyone time, or to have an understanding of what products can reasonably be expected to be purchased at a given time of day. (Col. 17, line 60-col. 18, line 15).</p>
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U.S. 6,067,525	Deaton – U.S. 5,201,010
1. A computer implemented sales system used to facilitate a sales process, the system comprising:	<p>The preamble is not a limitation.</p> <p>Nonetheless, <u>see</u> Abstract, col. 6, lines 4-24. A method and system is disclosed for performing targeted marketing on infrequent shoppers. The system collects and accumulates selected additional transactional data, thus allowing the store to adopt risk management approach to check verification tailored to the store's particular customer and financial situation, and allowing the store to develop customer profiles and to target advertising, marketing and promotions, and otherwise improve customer relations.</p>
a plurality of subsystems configured to facilitate one or more actions performed during at least one phase of the sales process; and	<p>Check transaction Processing system (CTPS, col. 8, line 47- col. 20, line 31)</p> <p>Targeted Marketing col. (59 line 25 –col. 78, line 48)</p>
an event manager, coupled to the subsystems, the event manager detecting one or more changes in state characteristic of an event occurring within the system,	<p>CTPS contains multiple subsystems including an Event Manger (col. 50, line 32 – col. 56, line 19)</p> <p>Event driven activities (col. 31, line 51- col. 32, line 32).</p>
inferring occurrence of the event and a context in which the event occurred based at least in part on the detected changes in state, and	<p>1) Marketing based on range of last shopping dates (Col. 66, line 31 – col. 67, line 55. Fig. 16) Event – sale with a check / check processing Context – customer's last shopping date / customer's shopping history</p> <p>2) Dissemination of Point of Sale coupons and direct mail coupons based upon shopping history (Col. 67, line 32 – col. 70, line 46. Fig. 17) Event – sale with a check / check processing Context – whether the utosome is a high volume shopper, primary shopper, or secondary (infrequent) shopper</p> <p>3) Dissemination of point of sale coupons and direct mail coupons based upon scanned data (Col. 70, line 47 – col. 73, line 48. Fig. 18) Event – sale with a check / check processing Context – particular store departments in which the products being purchased</p>
automatically initiating an operation in one or more particular subsystems of the computer to facilitate a new action based on the inferred context.	<p>1) If this customer's last shopping date falls within the range of preselected shopping date range write this record to target file. Selection may also include a minimal dollar amount in a preselected time range. A promotion may then be selectively offered by the retail establishment to customers within the second database. (Col. 66, line 31 – col. 67, line 55. Fig. 16)</p> <p>2) If secondary shopper dispense coupon value A (high incentive to make secondary shopper primary shopper) If primary shopper dispense coupon value B (lesser incentive package to maintain consistency) If high volume shopper dispense coupon value C (high value to hold on to especially good shopper) Two method for determining coupon package: off-line (next visit) and</p>

	<p>on-line (time of sale). Coupon dispense through clerk or direct mail. (Col. 67, line 32 – col. 70, line 46. Fig. 17)</p> <p>3) system decide whether to award a coupon and what type of coupon to award. e.g. If shopper consistently does not buy from deli, generate coupon to induce customer to shop at the deli. Stored data (shopping history can also be used to generate targeted coupon. (Col. 70, line 47 – col. 73, line 48. Fig. 18)</p>
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